

SUMMARY REPORT DIGEST-

COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT

273395

DATE OF REPORT (DAY-MO.-YEAR)

19 Sep 01

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED or
In SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.TO: SUPERINTENDENT OF POLICE
ATTENTION ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
 ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM-INVESTIGATOR'S NAME JOHNSON, KEVIN			RANK SGT	STAR NO. 1734	SOCIAL SEC. NO. <input type="checkbox"/> 2 - Unique identifi...	EMPLOYEE NO. <input type="checkbox"/> 2 - Unique ...	UNIT ASSIGN. 015	
ADDRESS OF INCIDENT 4800/4900 BLOCK OF WEST IOWA			DATE OF INCIDENT - TIME 26 JUL 01-1420 HOURS			BEAT OF INCIDENT 1531	LOCATION CODE <input type="checkbox"/>	
ACCUSED	NAME 1. SEABERRY, ROBERT		RANK P/O	STAR NO. 3110	SOCIAL SEC. NO. <input type="checkbox"/> 2 - Unique identifi...	EMPLOYEE NO. <input type="checkbox"/> 2 - Uniq...	UNIT ASSIGN. 015	
	2. HUERTAS, CARLOS		P/O	19394	<input type="checkbox"/> 2 - Unique identifi...	<input type="checkbox"/> 2 - Uniq...	015	
	SEX/RACE 1. M/B	D.O.B. 1... JAN 53	DATE OF APPOINTMENT 31 MAY 94	DUTY STATUS (TIME OF INCIDENT) <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY			<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	PHYS COND CODE 01
2. M/H	1... SEP 74	27 JUL 98	<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY			<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	01	
IF APPLICABLE - DATE ARRESTED/INDICTED 1. 2.			CHARGES		COURT BRANCH	DISPOSITION & DATE		
COMPLAINANTS	NAME 1 - Personal info		ADDRESS** 1 - Personal info	CITY STATE CHICAGO, IL	TELEPHONE 1 - Personal info	SEX/RACE M/B	D.O.B./AGE 1... MAR 62	PHYS COND CODE 01
	NAME 1 - Personal info		ADDRESS** 1 - Personal info	CITY STATE CHICAGO, IL	TELEPHONE 1 - Personal info	F/B	60 YOA	PHYS COND CODE 01
VICTIMS	NAME 1 - Person... 1 - Personal info		ADDRESS** 1 - Personal info	CITY STATE CHICAGO, IL	TELEPHONE 1 - Personal info	F/B	57 YOA	PHYS COND CODE 01
	NAME SAME AS ABOVE		ADDRESS**	CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	PHYS COND CODE 01

 SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

IT IS ALLEGED THAT ON THURSDAY, 26 JUL 01 AT 1420 HOURS, TWO MALE BLACK CASUALLY DRESSED OFFICERS WERE VERBALLY ABUSIVE TO (VICTIM#1) IN THAT THE ACCUSED STATED, "GET THE FUCK ON BEFORE WE LOCK YOU UP" WITH OTHER PROFANITIES. THE COMPLAINANT ALLEGES THAT THE ACCUSED WERE IN AN UNMARKED VEHICLE WITH LICENCE PLATE "M-114752". THE COMPLAINANT ALLEGES THAT VICTIM#1 WAS ASKING THE ACCUSED OFFICERS THE REASON WHY THEY HAD .

I.A.D. LOCATION CODES*

- 01 Food Sales/Restaurant
- 02 Tavern/Liquor Store
- 03 Other Business Establishment
- 04 Police Building
- 05 Lockup Facility
- 06 Police Maintenance Facility
- 07 CPD Automotive Pound Facility
- 08 Other Police Property
- 09 Police Communications System
- 10 Court Room

- 11 Public Transportation Veh./Facility
- 12 Park District Property
- 13 Airport
- 14 Public Property Other
- 15 Other Private Premise
- 16 Expressway/Interstate System
- 17 Public Way - Other
- 18 Waterway, Incl. Park District
- 19 Private Residence

I.A.D. PHYSICAL CONDITION CODES†

- 01 No Visible Injury - Apparently Normal
- 02 No Visible Injury - Under Influence
- 03 Injured, Not Hospitalized
- 04 Injured, Not Hospitalized - Under Influence
- 05 Injured, Hospitalized
- 06 Injured, Hospitalized - Under Influence
- 07 Injured, Refused Medical Aid
- 08 Injured, Refused Medical Aid - Under Influence
- 09 Deceased
- 10 Deceased - Under Influence

* * IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

SUMMARY
Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

I/Sgt was assigned the above listed Complaint Register number for investigation. I/Sgt made several attempts to contact the complainant, victim and witnesss in this matter in order to schedule personal interviews, I/Sgt obtained a copy of the 015th District Tactical Assignment Sheet for Team 1561 for 26 July 01, 2nd Watch, and which revealed that the accused members (P/O Seaberry & Huertas) were assigned to Beat 1561D, 2nd Watch with C.P.D. vehicle#3017 (IL license#M-114752; Attachments#2, 3 & 4).

The complainant alleges that during this incident, two male Black officers were the accused members. It should be noted that P/O Huertas is of Puerto Rican descent. Both of the accused members were served with Notification of Charges/Allegations, Adminstrative Proceedings Rights, and Waiver/Request For Counsel forms (Attachments#7 through 12). I/Sgt received written reports from both accused members-emphatically and catergorically denying the allegations set forth by the complainant (Attachments#13 & 14).

I/Sgt located the complainant and before the interview could commence, I/Sgt was immediately advised by the complainant that he (the complainant) no longer wanted to pursue this matter against the accused officers. The complainant also advised I/Sgt that the witness and victim in this matter(complainant's 2 - Unique identifiers) also declined to pursue the allegations against the accused officers. I/Sgt obtained a signed letter of declination from the complainant. Based upon the reports, statements and interviews taken with respect to this Complaint Register investigation, I/Sgt concludes this investigation with the finding and recommendations listed below.

ATTACHMENTS	INVESTIGATIVE REPORTS-SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS:	INVESTIGATIVE REPORTS-SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
	1	13 & 14	4	16

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

FINDINGS: The allegation against P/O Robert Seaberry#3110 is "UNFOUNDED"
The allegation against P/O Carlos Huertas#19394 is "UNFOUNDED"

RECOMMENDATIONS: No disciplinary action. Case to be filed.

REVIEWED BY: RC
DATE: 7/6/01

DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION)	02 aug 01	DATE COMPLETED (DATE OF THIS REPORT)	19 Sep 01	ELAPSED TIME (TOTAL TIME EXPRESSED IN DAYS)	48 days
Investigator will Initiate the Command Channel Review form by completing the Investigator's Section.			INVESTIGATOR'S SIGNATURE	1 - Personal info	
COMPUTER GENERATED FORM IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.					

EVIDENCE:

Attachments:

1. Complaint Against Department Member in CR#273395
2. Notification re: CR Investigation (P/O Robert Seaberry#3110; 015th District)
3. Notification re: CR Investigation (P/O Carlos Huertas#19493; 015th District)
4. Tactical Assignment Sheet for 26 July 01; 2nd Watch; 015th District
5. Letter Of Declination signed by Complainant (1 - Personal info)
6. Request For Extension of Time
7. Notification of Charges/Allegations Against Accused Member: P/O Robert Seaberry#3110, 015th District
8. Waiver/Request For Counsel re: P/O Seaberry
9. Administrative Rights re: P/O Seaberry
10. Notification of Charges/Allegations Against Accused Member: P/O Carlos Huertas#19394, 015th District
11. Waiver/Request For Counsel re: P/O Huertas
12. Administrative Rights re: P/O Huertas
13. Written Report of P/O Robert Seaberry#3110

015th District

CR#273395

EVIDENCE:

Attachments (contd.):

14. Written Report of P/O Carlos Huertas#19394

15. 1st Request For Extension Of Time

16. 2nd Request For Extension Of Time